

**Maryland Board of Pharmacy
Public Board Meeting**

**Agenda
September 16, 2020**

Name	Title	Present	Absent
Ashby, D.	Commissioner		
Bouyoukas, E	Commissioner		
Evans, K.	Commissioner		
Fink, K.	Commissioner		
Hardesty, J.	Commissioner/Treasurer		
Geigher, P.	Commissioner		
Leikach, N.	Commissioner		
Morgan, K.	Commissioner/President		
Oliver, B	Commissioner		
Rusinko, K.	Commissioner/Secretary		
Singal, S.	Commissioner		
Yankellow, E.	Commissioner		
Bethman, L.	Board Counsel		
Felter, B.	Board Counsel		
Speights-Napata, D.	Executive Director		
Fields, E.	Deputy Director /Operations		
James, D.	Licensing Manager		
Leak, T.	Compliance Director		
Clark, B.	Legislative Liaison		
Chew, C.	Management Associate		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)										
I. Executive Committee Report(s)	A.) K. Morgan, Board President B.)K. Rusinko, Secretary	Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda. 1. Call to Order 2. Sign-in Introduction and of meeting attendees – (Please indicate on sign-in sheet if you are requesting CE Units for attendance) 3. Distribution of Agenda and packet materials 4. Review and approve August 2020 Public Meeting Minutes											
II. A. Executive Director Report	D. Speights-Napata, Executive Director	1. HHS PREP Act Amendment 2. NABP District 1 and 2 meeting											
B. New Business	K. Morgan, Board President	1. Flu Vaccine Distribution in Maryland--MDH Center for Immunization											
C. Operations	E. Fields, Deputy Director/ Operations	1. Procurement and Budget Updates a: August 2020 Financial Statements 2. Management Information Systems (MIS) Unit Updates a: Procurement for 2020 Pharmacy Law Books											
D. Licensing	E. Bouyoukas, Commissioner	1. Unit Updates 2. Monthly Statistics <table><tr><td>License Type</td><td>New</td><td>Renewed</td><td>Reinstated</td><td>Total</td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table>	License Type	New	Renewed	Reinstated	Total						
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		<table><tr><td>Distributor</td><td>23</td><td>1</td><td>0</td><td>1,427</td></tr><tr><td>Pharmacy</td><td>15</td><td>2</td><td>1</td><td>2,085</td></tr><tr><td>Pharmacist</td><td>120</td><td>504</td><td>0</td><td>12,821</td></tr><tr><td>Vaccination</td><td>71</td><td>155</td><td>0</td><td>4,949</td></tr><tr><td>Pharmacy Intern - Graduate</td><td>1</td><td>0</td><td>0</td><td>62</td></tr><tr><td>Pharmacy Intern - Student</td><td>20</td><td>9</td><td>0</td><td>778</td></tr><tr><td>Pharmacy Technician</td><td>94</td><td>342</td><td>4</td><td>10,511</td></tr><tr><td>Pharmacy Technician-Student</td><td>1</td><td>0</td><td>0</td><td>35</td></tr><tr><td>TOTAL</td><td>345</td><td>1,013</td><td>5</td><td>32,668</td></tr></table>	Distributor	23	1	0	1,427	Pharmacy	15	2	1	2,085	Pharmacist	120	504	0	12,821	Vaccination	71	155	0	4,949	Pharmacy Intern - Graduate	1	0	0	62	Pharmacy Intern - Student	20	9	0	778	Pharmacy Technician	94	342	4	10,511	Pharmacy Technician-Student	1	0	0	35	TOTAL	345	1,013	5	32,668	
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E. Compliance	T. Leak, Compliance Director	<div>1. Unit Updates</div> <div>2. Monthly Statistics</div> <div>Complaints & Investigations:</div> <div>New Complaints – 21</div> <div><div>• Customer Service – 8</div><div>• Employee Pilferage – 1</div></div>																																														

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		<ul style="list-style-type: none"> • Licensing Issues – 1 • Medication Error – 2 • Refusal to Fill – 3 • VPP Inspection Issues – 6 <p>Resolved (Including Carryover) – 25 Actions within Goal – 20/25 Final disciplinary actions taken – 4 Summary Actions Taken – 0 Average days to complete – 0</p> <p>Inspections:</p> <p>Total - 188 Annual Inspections - 178 Opening Inspections - 2 Closing Inspections - 4 Relocation/Change of Ownership Inspections - 4 Board Special Investigation Inspections – 0</p>	
F. Legislation & Regulations	B. Clark, Legislative Liaison	<p><u>Regulations</u> None</p> <p><u>Legislation</u> None</p>	
III. Committee Reports			

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A. Practice Committee	Evans, K. Commissioner	<p>Cailey Locklair, Maryland Retailers Association: With the administration looking at regulatory reforms now and post COVID, will the Board support pharmacy's ability to immunize all ages for flu and well as any COVID vaccination that is produced in the future?</p> <p>Proposed Response: Thank you for reaching out. Before giving an opinion on the matter, the Board would like to review the proposed legislation. The Board looks forward to hearing back from you.</p> <p>Monet Stanford, Kaiser Permanente: Kaiser Permanente's mission is committed to providing high-quality, affordable care to consumers in Maryland. Patients who require reconstituted oral medications on a chronic basis are often negatively impacted by the short beyond-use date (BUD) of their medication once mixed by the pharmacy. Reconstitution by the pharmacy for each dispensing of these types of products require multiple trips to the pharmacy, which can lead to barriers in patient adherence and potentially compromises safe, efficacious medication use. Dispensing un-reconstituted medication with the appropriate supplementary materials to a patient or caregiver for home reconstitution addresses these barriers.</p> <p>If agreed by both the pharmacist and the patient/caregiver, provided the patient/caregiver is competent and comfortable reconstituting at home, is it permissible to furnish amber bottles of distilled water in the volume needed for reconstitution? Any dispensed amber bottles of distilled water would be appropriately labeled with the directions for mixing for the specific medication dispensed, a six-month expiration date, and storage instructions</p> <p>Proposed Response: The practice that you have described is not prohibited by Maryland laws and regulations; however, pharmacists should use their professional judgment, and clear instructions should be given to the patient regarding how and when to perform the requisite reconstitution</p> <p>Karen Michaels: If a pharmacist licensed outside the state of Maryland is going to offer support to an institution in Maryland does that person need to be onsite or can they work remotely from out of state.</p>	

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		<p>Proposed Response: Per Governor Hogan’s order on health care matters dated March 16, 2020, health care practitioners (including pharmacists) are permitted to engage in the activities authorized under their licenses without first obtaining a license or authorization to practice in Maryland provided that the health care facility determines that such action is necessary to meet required staffing ratios or is otherwise necessary to ensure the continued and safe delivery of healthcare services. Please note that the Board cannot further interpret this order. For further questions, please contact the Governor’s office.</p> <p>Irene Ruiz: I have a quick question in regards to the law about pre- printed prescription pads.</p> <p>The law states:</p> <p>A prescription for a controlled dangerous substance within the meaning of Article 27 of the Code may not be written on a preprinted prescription form that states the name, quantity, or strength of the controlled dangerous substance. Annotated Code of Maryland, Health-General Article, Title 21-220.</p> <p>Preprinted prescription pads for non-controlled dangerous substances are not prohibited by law</p> <p>Is this the same for a pre-stamped prescription as well? I have attached a photo of the prescriber in question to verify if it is valid or not.</p> <p>Proposed Response:</p> <ol style="list-style-type: none"> 1. Maryland Board of Pharmacy laws and regulations do not contain an exception allowing pharmacies to distribute drugs for dispensing across borders. For further information, you may wish to consult with legal counsel. 2. Please refer to Md. Code Ann., Health Occ. § 12-507 for the proper procedures in this situation. 3. Pursuant to Md. Code Ann., Health Occ. 12-6C-09(c), distributors may only deliver drugs to the pharmacy premises or to an agent of the pharmacy 	
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		on the distributor's premises. Pursuant to COMAR 10.34.05, the pharmacy permit holder is responsible for controlling access to pharmacy inventory.	
B. Licensing Committee	D. Ashby, Chair	<p>1. Review of Pharmacist Applications:</p> <p>a. #121725 - Applicant is requesting an extension of her MPJE score which expires 09/21/2020. Due to an automobile accident she was not able to sit for the NAPLEX exam after taking the MPJE. Upon rescheduling the exam, it was cancelled due to COVID 19. She has been able to schedule a new exam date for 09/19/2020 and would like an extension of her MPJE if she is not able to pass the exam. <i>Committee recommendation: Extend until 12/31/2020</i></p> <p>b. #122843 - Applicant is requesting Board approval to retake both the NAPLEX for a 7th attempt. MPJE has been taken 3 times. <i>Committee recommendation: Approve to retake NAPLEX, must reapply.</i></p> <p>c. #126859 - Applicant is requesting a waiver of 60 of the 1,560 intern hours required for foreign graduates. <i>Committee recommendation: Waive the 60 hours' requirement.</i></p> <p>2. Review of Pharmacy Intern Applications:</p> <p>a. NK - Registrant is requesting a second renewal of her Intern registration so that she may continue to work at the hospital she is employed with. <i>Committee recommendation: Per statute the Intern registration can only be renewed once. The Intern</i></p>	

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		<p><i>registration cannot be extended beyond the expiration date.</i></p> <p>b. WA - Registrant is requesting an extension of her Intern registration so that she may continue training in the pharmacy as a Pharmacist Grad intern for the month of September with hopes to be done with board exams before mid-October. <i>Committee recommendation: Extend until 07/31/2020 to give registrant a full 4 years.</i></p> <p>3. Review of Pharmacy Technician Applications: NONE</p> <p>4. Review of Distributor Applications: NONE</p> <p>5. Review of Pharmacy Applications: NONE</p> <p>6. Review of Pharmacy Technicians Training Programs: NONE</p> <p>7. New Business:</p> <p>a. Hameed Manejwala (Royspec Purchasing Services) - Company is requesting a waiver to acquire non-formulary drug to ship to a patient in Saudi Arabia. <i>Committee recommendation: Deny, the Board cannot license a facility out of the US.</i></p> <p>b. MF (MF1, MF2, MF3)- Pharmacist is requesting approval of the Vaccination Training program completed through her employer. <i>Committee recommendation: Approve</i></p> <p>National Coalition for Drug Quality and Security (NCDQS) - National Coalition for Drug Quality & Security (NCDQS).</p>	

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		NCDQS recently introduced two new programs for companies in the pharmaceutical supply chain - the Quality and Security (QAS) Accreditation program and the QAS Inspection program. NCDQS is requesting approval to become a Board approved accrediting body.	
C. Public Relations Committee	E. Yankellow, Chair	Public Relations Committee Update:	
D. Disciplinary	J. Hardesty, Chair	Disciplinary Committee Update	
E. Emergency Preparedness Task Force	N. Leikach, Chair	Emergency Preparedness Task Force Update	
IV. Other Business & FYI	K. Morgan, President		
V. Adjournment	K. Morgan, President	A. The Public Meeting was adjourned. B. K. Morgan convened a Closed Public Session to conduct a medical review committee evaluation of confidential applications. C. The Closed Public Session was adjourned. Immediately thereafter, K. Morgan convened an Administrative Session for purposes of discussing confidential disciplinary cases.	

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		D. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Closed Public Session and the Administrative Session.	
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